

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**EQUAL EMPLOYMENT OPPORTUNITY**     )  
**COMMISSION,**                                 )  
  )  
          **Applicant,**                                 )  
  )  
**v.**   )  
  )  
**DOLGENCORP,**                                 )  
  )  
          **Respondent.**                                 )

**CIVIL ACTION NO.  
1:07-cv-06672**

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**RESPONDENT’S OBJECTIONS TO THE RECOMMENDED GRANT  
OF THE EEOC’S APPLICATION FOR ENFORCEMENT OF  
AMENDED SUBPOENA**

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Pursuant to Fed. R. Civ. P. 72(b), Respondent Dolgencorp objects to the following proposed findings and recommendations contained in the grant of the EEOC’s application for enforcement of amended subpoena, entered on February 12, 2008<sup>1</sup>:

- (1) the order’s requirement that Respondent produce the requested information by month;
- (2) the order’s findings and conclusions that the underlying charge is valid and sufficient to meet the jurisdictional prerequisite to a subpoena enforcement action;
- (3) the order’s findings and conclusions that the underlying investigation is within the EEOC’s proscribed authority to investigate;
- (4) the order’s findings and conclusions that the subpoena seeks relevant information; and
- (5) the order’s overly broad requirement that Respondent produce the requested information for a three and half year period for all persons

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<sup>1</sup> Alternatively, Respondent submits that, pursuant to Fed. R. Civ. P. 72(a), Respondent objects to these portions of the order as being clearly erroneous and/or contrary to law.

within Division 5 whose contingent offers of employment were revoked due to the results of their criminal background check, not just those offers that were revoked based upon their having the same criminal convictions as Charging Party.

Upon consideration of these objections, Respondent's supporting memorandum, and the record as a whole, Respondent prays that this Court overturn the order and dismiss this action.

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of February, 2008, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

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